

Notice of Allowability

Application No.

10/664,591

Examiner

CHUONG T. HO

Applicant(s)

WU ET AL.

Art Unit

2419

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to 05/18/09.
2. ☒ The allowed claim(s) is/are 1,3-11,13-21,23 renumbered 1-20 respectively.
3. ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some* c) ☐ None of the:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. ____.
3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

* Certified copies not received: ____.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.

THIS THREE-MONTH PERIOD IS NOT EXTENDABLE

4. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
5. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
- (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
- 1) ☐ hereto or 2) ☐ to Paper No./Mail Date ____.
- (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date ____.
- Identifying Indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
6. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

Attachment(s)

1. ☒ Notice of References Cited (PTO-892)
2. ☐ Notice of Draftperson's Patent Drawing Review (PTO-948)
3. ☐ Information Disclosure Statements (PTO/SB/08),
Paper No./Mail Date ____
4. ☐ Examiner's Comment Regarding Requirement for Deposit of Biological Material
5. ☐ Notice of Informal Patent Application
6. ☒ Interview Summary (PTO-413),
Paper No./Mail Date 07/24/09.
7. ☒ Examiner's Amendment/Comment
8. ☒ Examiner's Statement of Reasons for Allowance
9. ☐ Other ____.

/Ayaz R. Sheikh/
Supervisory Patent Examiner, Art Unit 2419

DETAILED ACTION

1. The amendment filed 05/18/09 have been entered and made of record.

EXAMINER'S AMENDMENT

2. An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it **MUST** be submitted no later than the payment of the issue fee.

Authorization for this examiner's amendment was given in a telephone interview with Audrey Kwan on July 24, 2009.

3. The application has been amended as follows:

IN THE SPECIFICATION

Page 15, lines 9-10, "The invention may also be embodied in a carrier wave traveling over an appropriate medium such as airwaves, optical lines, electric lines, etc " has been deleted.

IN THE CLAIMS

Claim 1 has been rewritten as follows:

A method for receiving frames at a gateway device, comprising:
receiving a frame at a metro ethernet gateway coupled to a metro ethernet network and an external network, the frame having an outer tag value identifying a customer site in a metro ethernet network, an inner tag value in an inner tag

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field, an ethernet packet header, and an ethernet packet payload, wherein a first value for the inner tag field is mapped to a frame relay service, a second value for the inner tag field is mapped to an Ethernet service, and a plurality of values for the inner tag field are mapped to Asynchronous Transfer Mode (ATM) virtual circuits determining that the inner tag value identifies a service provisioned for the customer site; and

replacing the outer tag and the inner tag with one or more identifiers for transmission onto the external network;

wherein determining that the inner tag identifies a service provisioned for the customer comprises determining if the inner tag has a reserved value.

Canceled claim 2;

Claim 11 has been rewritten as follows:

A gateway device, comprising:

an external network interface coupled to an external network; a metro ethernet network interface coupled to a metro ethernet network, the interface configured to receive a frame at a metro ethernet gateway coupled to a metro ethernet network and an external network, the frame having an outer tag value identifying a customer site in a metro ethernet network, an inner tag value in an inner tag field, an ethernet packet header, and an ethernet packet payload, wherein a first value for the inner tag field is mapped to a frame relay service, a second value for the inner tag field is mapped to an Ethernet service, and a plurality of values

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for the inner tag field are mapped to Asynchronous Transfer Mode (ATM) virtual circuits; and

a processor operable to determine that the inner tag value identifies a service provisioned for the customer site and to replace the outer tag and the inner tag with one or more identifiers for transmission onto the external network;

wherein determining that the inner tag identifies a service provisioned for the customer comprises determining if the inner tag has a reserved value.

Canceled claim 12;

Claim 21 has been rewritten as follows:

A network node, comprising: means for receiving a frame at a metro ethernet gateway coupled to a metro ethernet network and an external network, the frame having an outer tag value identifying a customer site in a metro ethernet network, an inner tag value in an inner tag field, an ethernet packet header, and an ethernet packet payload, wherein a first value for the inner tag field is mapped to a frame relay service, a second value for the inner tag field is mapped to an Ethernet service, and a plurality of values for the inner tag field are mapped to Asynchronous Transfer Mode (ATM) virtual circuits ;

means for determining that the inner tag value identifies a service provisioned for the customer site; and

means for replacing the outer tag and the inner tag with one or more identifiers for transmission onto the external network;

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wherein determining that the inner tag identifies a service provisioned for the customer comprises determining if the inner tag has a reserved value.

Canceled claim 22;

Claim 23 has been rewritten as follows:

A computer readable medium comprising computer instruction code for receiving frames at a gateway device, the computer instruction code executed by the computer, the computer readable medium comprising:

computer code for receiving a frame at a metro ethernet gateway coupled to a metro ethernet network and an external network, the frame having an outer tag value identifying a customer site in a metro ethernet network, an inner tag value in an inner tag field, an ethernet packet header, and an ethernet packet payload, wherein a first value for the inner tag field is mapped to a frame relay service, a second value for the inner tag field is mapped to an Ethernet service, and a plurality of values for the inner tag field are mapped to Asynchronous Transfer Mode (ATM) virtual circuits;

computer instruction code for determining that the inner tag value identifies a service provisioned for the customer site; and

computer instruction code for replacing the outer tag and the inner tag with one or more identifiers for transmission onto the external network;

wherein determining that the inner tag identifies a service provisioned for the customer comprises determining if the inner tag has a reserved value.

Allowable Subject Matter

4. Claims 1, 3-11, 13-21, 23 are allowed.

The following is a statement of reasons for the indication of allowable subject matter: Claims 1, 11, 21, 23 are allowed. The prior art fails to disclose wherein a first value for the inner tag field is mapped to a frame relay service, a second value for the inner tag field is mapped to an Ethernet service, and a plurality of values for the inner tag field are mapped to Asynchronous Transfer Mode (ATM) virtual circuits determining that the inner tag value identifies a service provisioned for the customer site; and replacing the outer tag and the inner tag with one or more identifiers for transmission onto the external network; wherein determining that the inner tag identifies a service provisioned for the customer comprises determining if the inner tag has a reserved value.

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to CHUONG T. HO whose telephone number is (571)272-3133. The examiner can normally be reached on 8:00 am to 4:00 pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Sheikh Ayaz can be reached on (571) 272-3795. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/Chuong. T. Ho/
Examiner, Art Unit 2419

/Ayaz R. Sheikh/

Supervisory Patent Examiner, Art Unit 2419